

EXHIBIT 1



ELECTRONICALLY FILED

7/18/2021 3:38 PM

01-CV-2021-902065.00

CIRCUIT COURT OF

JEFFERSON COUNTY, ALABAMA

JACQUELINE ANDERSON SMITH, CLERK

State of Alabama
Unified Judicial System
Form ARCiv-93 Rev. 9/18

COVER SHEET
CIRCUIT COURT - CIVIL CASE
(Not For Domestic Relations Cases)

Ca:
01Date of Filing:
07/18/2021

Judge Code:

GENERAL INFORMATION

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
TIFFANY Y RICHARDSON v. CONTOUR COMPANIES

First Plaintiff: ☐ Business ☒ Individual ☐ Government ☐ Other
First Defendant: ☒ Business ☐ Individual ☐ Government ☐ Other

NATURE OF SUIT: Select primary cause of action, by checking box (check only one) that best characterizes your action:

TORTS: PERSONAL INJURY

- ☐ WDEA - Wrongful Death
☐ TONG - Negligence: General
☐ TOMV - Negligence: Motor Vehicle
☐ TOWA - Wantonness
☐ TOPL - Product Liability/AEMLD
☐ TOMM - Malpractice-Medical
☐ TOLM - Malpractice-Legal
☐ TOOM - Malpractice-Other
☐ TBFM - Fraud/Bad Faith/Misrepresentation
☐ TOXX - Other: _____

TORTS: PERSONAL INJURY

- ☐ TOPE - Personal Property
☐ TORE - Real Property

OTHER CIVIL FILINGS

- ☐ ABAN - Abandoned Automobile
☐ ACCT - Account & Nonmortgage
☐ APAA - Administrative Agency Appeal
☐ ADPA - Administrative Procedure Act
☐ ANPS - Adults in Need of Protective Service

OTHER CIVIL FILINGS (cont'd)

- ☐ MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/ Enforcement of Agency Subpoena/Petition to Preserve
☒ CVRT - Civil Rights
☐ COND - Condemnation/Eminent Domain/Right-of-Way
☐ CTMP - Contempt of Court
☐ CONT - Contract/Ejectment/Writ of Seizure
☐ TOCN - Conversion
☐ EQND - Equity Non-Damages Actions/Declaratory Judgment/ Injunction Election Contest/Quiet Title/Sale For Division
☐ CVUD - Eviction Appeal/Unlawful Detainer
☐ FORJ - Foreign Judgment
☐ FORF - Fruits of Crime Forfeiture
☐ MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition
☐ PFAB - Protection From Abuse
☐ EPFA - Elder Protection From Abuse
☐ QTLB - Quiet Title Land Bank
☐ FELA - Railroad/Seaman (FELA)
☐ RPRO - Real Property
☐ WTEG - Will/Trust/Estate/Guardianship/Conservatorship
☐ COMP - Workers' Compensation
☐ CVXX - Miscellaneous Circuit Civil Case

ORIGIN: F ☒ INITIAL FILINGA ☐ APPEAL FROM
DISTRICT COURTO ☐ OTHERR ☐ REMANDEDT ☐ TRANSFERRED FROM
OTHER CIRCUIT COURTHAS JURY TRIAL BEEN DEMANDED? ☐ YES ☒ NO

Note: Checking "Yes" does not constitute a demand for a jury trial. (See Rules 38 and 39, Ala.R.Civ.P., for procedure)

RELIEF REQUESTED: ☒ MONETARY AWARD REQUESTED ☐ NO MONETARY AWARD REQUESTED

ATTORNEY CODE:

MCC176

7/18/2021 3:38:06 PM

Date

/s/ TERRELL E. MCCANTS ESQ.

Signature of Attorney/Party filing this form

MEDIATION REQUESTED: ☐ YES ☒ NO ☐ UNDECIDEDElection to Proceed under the Alabama Rules for Expedited Civil Actions: ☐ YES ☒ NO



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CIRCUIT COURT OF
JEFFERSON COUNTY, ALABAMA
JACQUELINE ANDERSON SMITH, CLERK

IN THE CIRCUIT COURT OF
JEFFERSON COUNTY, ALABAMA

TIFFANY Y. RICHARDSON
Plaintiff.

vs.

CONTOUR COMPANIES
Defendant.

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}

Case No.:

COMPLAINT

I. JURISDICTION AND VENUE

1. The jurisdiction of this court is invoked pursuant to Title VII of the Civil Rights Act of 1964, as amended as well as the Americans with Disabilities Act, as amended (“ADAAA”); 42 U.S.C. 12101, et seq. The jurisdiction of this court is invoked to secure protection for and to redress the deprivation of rights secured by 2000(e) the ADAAA, providing relief against discrimination based on disability. Plaintiff has initiated her EEOC charge and received her “Notice of Right to Sue” letter pursuant to Title VII and ADA prior to the filing of this complaint.

II. PARTIES

2. Plaintiff, a former employee of Defendant, seeks declaratory and injunctive relief, compensatory damages, back pay, and front pay from Defendants arising from

Defendants' violation of rights guaranteed to Plaintiff under Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e, et seq., amended by the Civil Rights Act of 1991 and the Americans with Disabilities Act.. Plaintiff is an African American female citizen of the United States and of the State of Alabama. She was a resident of this Judicial District and Division at all relevant times. Plaintiff is an employee of the Defendant within the meaning of Title VII of the Civil Rights Act of 1964 and the 1991 amendments thereto.

3. Defendant Contours Companies is an employer within the meaning of Title VII of the 1964 Civil Rights Act and the 1991 amendments thereto. Defendant is operating within this County. Defendant was Plaintiff's employer at all relevant times.

III. Facts

4. On June 30, 2020, Richardson began working at the Ridge at Crestwood apartment complex, which is owned by Defendant, Contours Companies.

5. She began work as a leasing consultant.

6. Almost immediately before the job started, Richardson had experienced the unexpected and premature death of her mother on May 7, 2020.

7. The month before that, a close cousin of Richardson's died.

8. Next, her sister-in-law died unexpectedly in July of 2020.

9. Richardson also lost her home to a fire on July 8, 2020.

10. Considering the series of tragic events, Richardson was understandably, reeling emotionally.

11. She would often have crying spells at work.

12. These bouts of weeping were witnessed by her supervisor.

13. They were also witnessed by the owners of Contours.

14. During her employment, Richardson started grief counseling.

15. She was told by her grief counselor that she was experiencing depression.

16. Richardson would often feel overwhelmed and/or severely depressed.

17. Occasionally, she would ask her direct supervisor if she could leave work early to deal with the issues she was facing.

18. On September 3, 2020, she was called into a meeting with her supervisor, Trenese Crump.

19. Crump told Richardson that the owners had decided to place her on administrative leave without pay, in other words, terminated as she was not ever taken off "administrative leave".

20. The reason given for the decision was that Richardson had allegedly taken money orders which were given as rent payments by tenants and cashed them for herself.

21. Richardson denied doing any such thing.

22. Such a feat would have been near impossible as the money orders paid by tenants were made payable to Contours Companies and not the Plaintiff.

23. The accusation was false and pretextual in nature.

23. This is evidenced by the fact that Richardson requested evidence of the alleged wrongdoing, but Contours refused to produce any.

24. Contours also never attempted to prosecute Richardson for theft of property.

25. Contours simply did not want to reasonably accommodate Richardson's medical condition.

26. Instead of accommodating her, Contours terminated her.

27. Richardson suffered damages because of Contours' failure to accommodate and termination.

IV. COUNT ONE: DISABILITY DISCRIMINATION (FAILURE TO ACCOMMODATE)

28. Richardson hereby repeats and realleges each and every allegation in paragraphs 1 through 27, inclusive, as if fully set forth herein.

29. Richardson did ask for intermittent leave as a reasonable accommodation for a serious medical condition.

30. Contours chose not to accommodate her disability.

31. Contours chose to terminate her because of her disability.

32. As a direct and proximate result of Contours' unlawful and discriminatory conduct in violation of Americans with Disabilities Act, as amended, Plaintiff has suffered and continues to suffer severe mental anguish and emotional distress, including but not limited to depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem and self-confidence, emotional pain and suffering, for which she is entitled to an award of monetary damages and other relief.

33. Defendant's unlawful and discriminatory conduct in violation of the Americans with Disabilities Act was outrageous and malicious, was intended to injure Plaintiff, and was done with conscious disregard of Plaintiff's civil rights, entitling Plaintiff to an award of punitive damages.

WHEREFORE, PREMISES CONSIDERED, Plaintiff requests the following relief:

1. Grant Plaintiff an order requiring Defendant to make Plaintiff whole by granting appropriate declaratory relief, lost wages, compensatory and punitive damages; and

2. Grant Plaintiff a permanent injunction enjoining Defendants, its agents, successors, employees, attorneys and those acting in concert therewith from continuing to violate the civil rights laws.

3. Plaintiff prays for attorney fees and such other and further, different or additional relief as justice may require.

/s/ Terrell E. McCants

Terrell E. McCants (MCC176)

Burrell & McCants, LLC

712 32nd St. S.

Birmingham, Al 35233 (205) 202-5599

e-mail: terrell@burrellmccants.com

State of Alabama Unified Judicial System Form C-34 Rev. 4/2017	SUMMONS - CIVIL -	Court Case Number 01-CV-2021-902065.00
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IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
TIFFANY Y RICHARDSON V. CONTOUR COMPANIES

NOTICE TO: CONTOUR COMPANIES, 40950 WOODWARD AVENUE, BLOOMFIELD, MI 48304

(Name and Address of Defendant)

THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S),
 TERRELL E. MCCANTS ESQ.

[Name(s) of Attorney(s)]

WHOSE ADDRESS(ES) IS/ARE: 121 Edenton Street, Birmingham, AL 35242

[Address(es) of Plaintiff(s) or Attorney(s)]

THE ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.

TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL PROCEDURE TO SERVE PROCESS:

☐ You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant.

☒ Service by certified mail of this Summons is initiated upon the written request of TIFFANY Y RICHARDSON
 pursuant to the Alabama Rules of the Civil Procedure. *[Name(s)]*

07/18/2021 /s/ JACQUELINE ANDERSON SMITH By: _____
(Date) *(Signature of Clerk)* *(Name)*

☒ Certified Mail is hereby requested. /s/ TERRELL E. MCCANTS ESQ.
(Plaintiff's/Attorney's Signature)

RETURN ON SERVICE

☐ Return receipt of certified mail received in this office on _____
(Date)

☐ I certify that I personally delivered a copy of this Summons and Complaint or other document to _____
 _____ in _____ County,
(Name of Person Served) *(Name of County)*

Alabama on _____
(Date)

(Type of Process Server)

(Server's Signature)

(Address of Server)

(Server's Printed Name)

(Phone Number of Server)



NOTICE TO CLERK

REQUIREMENTS FOR COMPLETING SERVICE BY
CERTIFIED MAIL OR FIRST CLASS MAIL

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
TIFFANY Y RICHARDSON V. CONTOUR COMPANIES

01-CV-2021-902065.00

To: CLERK BIRMINGHAM
clerk.birmingham@alacourt.gov

TOTAL POSTAGE PAID: \$7.36


Parties to be served by Certified Mail - Return Receipt Requested

CONTOUR COMPANIES
40950 WOODWARD AVENUE
BLOOMFIELD, MI 48304

Postage: \$7.36

Parties to be served by Certified Mail - Restricted Delivery - Return Receipt Requested

Parties to be served by First Class Mail

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p style="text-align: center; margin-top: 20px;">CONTOUR COMPANIES 40950 WOODWARD AVENUE BLOOMFIELD, MI 48304</p> <div style="text-align: center; margin-top: 10px;">  9590 9402 6681 1060 1862 90 </div> <p style="font-size: small; margin-top: 5px;">2. Article Number (Transfer from carrier label)</p> <p style="font-size: large; font-weight: bold; text-align: center;">7020 1810 0000 2637 3361</p>	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="text-align: center; margin-top: 10px;">S/C</p> <p style="font-size: large; font-weight: bold; text-align: center; margin-top: 20px;">CV-21- 902065</p> <p>3. Service Type <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Mail Restricted Delivery </p>

Domestic Return Receipt

PS Form 3811, July 2020 PSN 7530-02-000-9053

7020 1810 0000 2637 3361

<p>U.S. Postal Service™ CERTIFIED MAIL® RECEIPT <i>Domestic Mail Only</i></p> <p style="font-size: small; margin-top: 5px;">For delivery information, visit our website at www.usps.com</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p style="font-size: large; font-weight: bold; text-align: center;">OFFICIAL USE</p> </div> <p style="font-size: small; margin-top: 10px;">Certified Mail Fee \$ _____ Extra Services & Fees (check box, and fee as appropriate) <input type="checkbox"/> Return Receipt (hardcopy) \$ _____ <input type="checkbox"/> Return Receipt (electronic) \$ _____ <input type="checkbox"/> Certified Mail Restricted Delivery \$ _____ <input type="checkbox"/> Adult Signature Required \$ _____ <input type="checkbox"/> Adult Signature Restricted Delivery \$ _____</p> <p style="font-size: small; margin-top: 5px;">Postage \$ _____</p> <p style="font-size: small; margin-top: 5px;">Total Postage and Fees \$ _____</p> <p style="font-size: small; margin-top: 5px;">Sent to _____ Street and Apt. No., or PO Box No. _____ City, State, ZIP+4® _____</p> <p style="font-size: x-small; margin-top: 5px;">PS Form 3800, April 2015 PSN 7501-02-000-9047 See Reverse for Instructions</p>	<p style="text-align: center; font-size: small;">Postmark Here</p>
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